

April 22, 2021

Page 1

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
Civil Docket No. 3:16-md-2738-FLW-LHG

---

IN RE:

JOHNSON & JOHNSON TALCUM	STATUS CONFERENCE VIA
POWDER PRODUCTS MARKETING,	REMOTE ZOOM
SALES PRACTICES AND PRODUCTS	VIDEOCONFERENCE
LIABILITY LITIGATION	

---

\* \* \* \*

THURSDAY, APRIL 22, 2021

\* \* \* \*

BEFORE: SPECIAL MASTER JOEL SCHNEIDER, USMJ, RETIRED  
jschneider@mmwr.com  
856-488-7797

MASTROIANNI & FORMAROLI, INC.  
Certified Court Reporting & Videoconferencing  
515 South White Horse Pike  
Audubon, New Jersey 08106  
856-546-1100

April 22, 2021

Page 2

1

2

3

4

5

6

Transcript of proceedings in the

7

above matter taken stenographically by

8

Theresa Mastroianni Kugler, Certified Court Reporter,

9

license number 30X100085700, Notary Public of the

10

State of New Jersey and the Commonwealth of

11

Pennsylvania, VIA ZOOM REMOTE VIDEOCONFERENCE,

12

commencing at 3:59 PM.

13

14

15

16

17

18

19

20

21

22

23

24

25

April 22, 2021

Page 3

1 A P P E A R A N C E S:

2  
3 MOTLEY RICE, LLC  
4 BY: DANIEL R. LAPINSKI, ESQUIRE  
210 LAKE DRIVE EAST - SUITE 101  
5 CHERRY HILL, NEW JERSEY 08002  
856-667-0500  
6 FAX - 856-667-5133  
800-768-4026  
7 dlapinski@motleyrice.com  
ATTORNEYS FOR THE PLAINTIFFS

8  
9 ASHCRAFT & GEREL, LLP  
10 BY: MICHELLE A. PARFITT, ESQUIRE  
1825 K STREET, NW  
11 WASHINGTON, DC 2006  
800-674-9725  
12 202-759-7648  
mparfitt@ashcraftlaw.com  
13 ATTORNEYS FOR THE PLAINTIFFS

14  
15 BEASLEY ALLEN LAW FIRM  
16 BY: LEIGH O'DELL, ESQUIRE  
218 COMMERCE STREET  
P.O. BOX 4160  
17 MONTGOMERY, ALABAMA 36104  
800-898-2034  
18 FAX - 334-954-7555  
leigh.odell@beasleyallen.com  
19 ATTORNEYS FOR THE PLAINTIFFS

20  
21 COHEN, PLACITELLA & ROTH, PC  
22 BY: CHRISTOPHER M. PLACITELLA, ESQUIRE  
127 MAPLE AVENUE  
23 RED BANK, NEW JERSEY 07701  
215-567-3500  
732-747-9003  
24 FAX - 215-567-6019  
cplacitella@cprlaw.com  
25 ATTORNEYS FOR THE PLAINTIFFS

April 22, 2021

Page 4

1 LEVIN, PAPANTONIO, RAFFERTY, PROCTOR,  
2 BUCHANAN, O'BRIEN, BARR, MOUGEY, PA  
BY: CHRISTOPHER V. TISI, ESQUIRE  
3 316 SOUTH BAYLEN STREET  
PENSACOLA, FLORIDA 32502  
850-435-7000  
4 800-277-1193  
ctisi@levinlaw.com  
5 ATTORNEYS FOR THE PLAINTIFFS  
6

7 FAEGRE DRINKER BIDDLE & REATH, LLP  
BY: SUSAN M. SHARKO, ESQUIRE  
8 - and -  
BY: JESSICA LEIGH BRENNAN, ESQUIRE  
9 600 CAMPUS  
FLORHAM PARK, NEW JERSEY 07932  
10 DIRECT - 973-549-7350  
FAX - 973-360-9831  
11 susan.sharko@faegredrinker.com  
ATTORNEYS FOR THE DEFENDANT,  
12 JOHNSON & JOHNSON and JOHNSON & JOHNSON  
CONSUMER COMPANIES, INC.,  
13 now known as JOHNSON & JOHNSON CONSUMER, INC.  
14

15 SKADDEN ARPS, SLATE, MEAGHER & FLOM, LLP  
BY: RICHARD T. BERNARDO, ESQUIRE  
16 1440 NEW YORK AVENUE, NW  
WASHINGTON, DC 20005  
17 202-371-7410  
john.beisner@skadden.com  
18 richard.bernardo@skadden.com  
ATTORNEYS FOR THE DEFENDANT,  
19 JOHNSON & JOHNSON and JOHNSON & JOHNSON  
CONSUMER COMPANIES, INC.,  
20 now known as JOHNSON & JOHNSON CONSUMER, INC.  
21

22 SEYFARTH SHAW, LLP  
BY: THOMAS T. LOCKE, ESQUIRE  
23 975 F STREET, NW  
WASHINGTON, DC 20004  
24 202-828-5376  
tlocke@seyfarth.com  
25 ATTORNEYS FOR THE DEFENDANT,

April 22, 2021

Page 5

1  
2  
3       A L S O     P R E S E N T:

4               RACHEL L. GOODMAN, ESQUIRE  
5               MONTGOMERY, McCracken, Walker & Rhoads, LLP  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

April 22, 2021

Page 6

1 SPECIAL MASTER SCHNEIDER: We're on the  
2 record.

3 Do you want to put your appearances  
4 just for the formality of who we have who is on this  
5 Zoom?

6 Start with the plaintiffs.

7 MS. LEIGH: Leigh O'Dell for the  
8 plaintiffs' steering committee.

9 MR. LAPINSKI: Good afternoon, your  
10 Honor. Dan Lapinski from the Motley Rice Law Firm on  
11 behalf of the plaintiffs' steering committee.

12 MS. PARFITT: Good afternoon, your  
13 Honor. Michelle Parfitt, Ashcraft & Gerel, on behalf  
14 of the plaintiffs' steering committee.

15 MR. TISI: Good afternoon, your Honor.  
16 Chris Tisi, Levin, Papantonio, Rafferty for the  
17 plaintiffs' steering committee.

18 MR. PLACITELLA: Your Honor, Chris  
19 Placitella for the plaintiffs.

20 MS. SHARKO: Susan Sharko, Faegre  
21 Drinker for the J&J defendants.

22 MR. BERNARDO: Richard Bernardo,  
23 Skadden Arps for the J&J defendants.

24 MS. BRENNAN: And Jessica Brennan,  
25 Faegre Drinker, for the J&J defendants.

April 22, 2021

Page 7

1 MR. LOCKE: And this is Tom Locke,  
2 Personal Care Products counsel.

3 SPECIAL MASTER SCHNEIDER: A few  
4 minutes ago, I received Ms. Sharko's email. The  
5 schedule you propose, so long as it's agreeable to  
6 the parties, is agreeable with me.

7 I just had a couple of questions, and I  
8 think I know the answer to the first question.

9 Can I assume that this short extension  
10 that's going to be granted will not result in an  
11 extension of any of the other deadlines that Judge  
12 Wolfson set?

13 MS. O'DELL: That's correct, your  
14 Honor.

15 SPECIAL MASTER SCHNEIDER: Great.

16 I noticed in the description and the  
17 schedule, plaintiffs are going to identify 50  
18 documents from each category that they're contesting.  
19 One, what is the corpus or the universe of the number  
20 in total of documents at issue on this privilege  
21 question?

22 MR. LAPINSKI: Your Honor, this is Dan  
23 Lapinski.

24 I think if we look at documents that  
25 were withheld for privilege and then also documents

April 22, 2021

Page 8

1 that were produced with redactions, where the  
2 redactions are on the basis of privilege, I think  
3 that the total universe of documents that we're  
4 looking at right now is about between 12 and 13  
5 thousand, but we're in the process of working in  
6 order to whittle that number down significantly as to  
7 the actual documents on that log that are going to be  
8 found.

9 SPECIAL MASTER SCHNEIDER: At the  
10 moment, Mr. Lapinski, do you know how many of this 12  
11 or 13 thousand corpus are going to be challenged?

12 MR. LAPINSKI: I don't know right now.  
13 Based upon the work that we've done thus far and --  
14 let me approach it a different way.

15 The log that we have for redactions  
16 requires us to take a -- requires us to pull and take  
17 a look at every document in order to put the  
18 redaction in context because there is no description  
19 as to why the redaction is attorney-client privilege.  
20 So that's going to take more work on our end to be  
21 able to make those determinations.

22 The documents that have been withheld  
23 in total for purposes of privilege, there is about 63  
24 hundred of those documents, I think. I'm sorry.  
25 Might be 68 hundred of those documents. And of those



April 22, 2021

Page 9

1 68 hundred documents, I think that realistically  
2 we're going to end up knocking that number in half,  
3 if not more than that.

4 SPECIAL MASTER SCHNEIDER: Do you know  
5 the different categories? Even though you don't know  
6 the specific documents at issue that are going to be  
7 challenged yet, do you at least know the categories?

8 MR. LAPINSKI: Yeah. There is some  
9 categories that we do know of. There is categories  
10 where there are third parties that are copied on  
11 and/or recipients of the documents. One of the  
12 categories is where there are no attorneys that are  
13 authors to or recipients of the documents and,  
14 therefore, there can't be legal advice that is being  
15 requested or given.

16 There are other categories of documents  
17 where attorneys are only CC'd on the document and  
18 have no other involvement but being CC'd. They're  
19 the four that I'm thinking of off the top of my head.  
20 And let me just look at my notes and I will tell you  
21 if I have any other categories that we're in the  
22 process of identifying right now.

23 SPECIAL MASTER SCHNEIDER: Do you  
24 suspect that any of the categories will involve  
25 outside counsel as opposed to inhouse counsel?

April 22, 2021

Page 10

1 MR. LAPINSKI: I think that there may  
2 be some. There are some documents where it involves  
3 outside counsel, but the issue isn't that there is  
4 the exchange of legal advice, the issue is that there  
5 is exchange of information. And, you know, facts  
6 that are exchanged that ultimately underlie legal  
7 advice that is being sought or given is discoverable,  
8 and in those situations I think that you'll see  
9 challenges to those categories of documents.

10 MR. PLACITELLA: The same thing would  
11 hold true, your Honor, for documents that could  
12 involve, say, inside and outside -- people inside  
13 J&J, outside counsel and a third party, like a public  
14 relations company or something.

15 SPECIAL MASTER SCHNEIDER: This corpus  
16 of 12 or 13 thousand documents, are these the same  
17 set of documents that are being challenged in  
18 different jurisdictions around the country?

19 MR. BERNARDO: If I can answer that,  
20 your Honor, since I'm probably closest to the  
21 documents. This is Richard Bernardo for the J&J  
22 defendants.

23 Yes, they are. There is one corpus of  
24 documents that is utilized so that everybody involved  
25 in the talcum power litigation has the benefit of the

April 22, 2021

Page 11

1 same documents. The categories that Mr. Lapinski  
2 described are the very categories that are in the  
3 process of being briefed in some New Jersey cases.

4 I don't want to get into, obviously,  
5 what we believe are the merits of our privilege  
6 assertions, simply to say that obviously we disagree  
7 with the characterizations of the documents, the  
8 descriptions on the log, and as your Honor probably  
9 would expect, it's much more nuanced than that.

10 One thing I will say is we, the J&J  
11 defendants, are committed to working with plaintiffs,  
12 as we have in all of these cases, to see as they  
13 identify documents if we can meet and confer and  
14 reduce the corpus. Because, for example, a document  
15 may fall in a gray area of the law and by disclosing  
16 it it's not somehow going to waive subject matter or  
17 other privileges.

18 But to answer your question directly,  
19 yes, they're the same documents. And again, they're  
20 the same categories, and some of them are being  
21 briefed. And, in fact, I'm arguing one of the  
22 categories next week before Judge Viscomi, which is  
23 one of the reasons, your Honor, that we really sought  
24 to try and see if we could coordinate this a little  
25 bit, because obviously it sort of avoids a lot of

April 22, 2021

Page 12

1 duplication of efforts and inconsistent rulings.

2 SPECIAL MASTER SCHNEIDER: So Mr.

3 Bernardo, you haven't seen Mr. Lapinski's list of

4 challenged documents yet, but might there be an

5 overlap in some of the documents that are going to be

6 challenged before Judge Viscomi in state court in her

7 cases and in this MDL?

8 MR. BERNARDO: I'm sorry, your Honor.

9 Yes, exactly. We actually have seen an earlier

10 version of it. And we did do our own analysis, and I

11 don't have the numbers in front of me, but there is a

12 fair amount of overlap. And I think once the

13 plaintiffs meet their first deadline of identifying

14 the documents associated with the categories, we'll

15 be in a better position to more readily define that

16 overlap.

17 SPECIAL MASTER SCHNEIDER: Are you also

18 involved in, I don't know the details of it, that

19 there is a privilege challenge in the Missouri

20 litigation?

21 MR. BERNARDO: Unfortunately for me,

22 I'm involved in all of it, your Honor.

23 My responsibility is to be the national

24 point person for all of this just to ensure that

25 there is some uniformity and consistency and make

April 22, 2021

Page 13

1 sure that everybody gets the same stuff. I don't  
2 always do a perfect job at it, but we try.

3 SPECIAL MASTER SCHNEIDER: I'm sorry  
4 about that. That's my lawn mower. He's right on  
5 time for the Zoom call.

6 MR. BERNARDO: I'll apologize in  
7 advance because our cable person is here and he just  
8 came in and was about to disconnect our internet and  
9 I waved him off. So if I suddenly disappear --

10 SPECIAL MASTER SCHNEIDER: Let me  
11 guess, Comcast.

12 MR. BERNARDO: I wish it were. No.

13 MR. TISI: Your Honor, I was dressed up  
14 as the cable guy.

15 SPECIAL MASTER SCHNEIDER: Mr.  
16 Bernardo, I don't want to know what the ruling is, so  
17 don't tell me the ruling, but have there ever been  
18 rulings on the documents that are going to be  
19 challenged in this case?

20 MR. BERNARDO: There have not yet been  
21 rulings. Years ago before my involvement, there were  
22 a small number of documents that were challenged in  
23 Missouri State court, a very small handful, and those  
24 were all resolved.

25 The only other notable privilege

April 22, 2021

Page 14

1 challenge has been on the same documents in probably  
2 four or five different cases, each of which  
3 fortunately came out to a consistent ruling that the  
4 document was work product. But that was one of the  
5 reasons that we're trying to coordinate this, is to  
6 avoid having to litigate the same issues in court  
7 after court after court.

8 SPECIAL MASTER SCHNEIDER: You  
9 mentioned work product. It was my understanding that  
10 the challenge here is more directed to the  
11 attorney-client privilege rather than work product,  
12 or is it going to be both?

13 MR. BERNARDO: It's going to be both,  
14 your Honor.

15 SPECIAL MASTER SCHNEIDER: Okay.

16 MR. BERNARDO: I can tell you that with  
17 certainty just knowing what the documents are,  
18 because some are claims of attorney-client privilege,  
19 other claims are work product, and some, as you would  
20 expect, are claims of both.

21 SPECIAL MASTER SCHNEIDER: So looking  
22 ahead, let's assume there is four or five categories,  
23 I'm just guessing, 50 documents in each category,  
24 defendant will brief it, probably provide affidavits,  
25 declarations. Defendant, without seeing the

April 22, 2021

Page 15

1 documents, will have to reply. Obviously, I don't  
2 know how I'm going to rule. Is there an  
3 understanding that, assuming the ruling is not  
4 appealed, that the ruling will be binding on the  
5 documents that are not specifically reviewed? Or  
6 what I'm trying to get at is whether there is going  
7 to be another dispute down the road: Well, maybe  
8 these 50, the master decided were privileged, don't  
9 have to be produced, but we don't agree that that 50  
10 is representative of the rest of this category.

11 Have there been discussions in that  
12 vein?

13 MR. BERNARDO: Yes, your Honor. And I  
14 think we agreed to let plaintiffs pick the 50,  
15 despite the fact we thought maybe each side should  
16 pick. But I think as we go through this, your Honor,  
17 our hope is that the rulings on the 50 and the 50  
18 that the plaintiffs select would be representative of  
19 at least a large chunk and they can be applied. I  
20 think no matter how much effort is given to making  
21 documents representative of a larger group of  
22 documents, there are always going to be some that may  
23 warrant, you know, specific treatment. And I think  
24 that after this process goes, we need to confer with  
25 the plaintiffs to try to sort through that.

April 22, 2021

Page 16

1 SPECIAL MASTER SCHNEIDER: Okay.

2 That's fine.

3 MR. LAPINSKI: For the plaintiffs, your  
4 Honor, we're in agreement with that. We're not, you  
5 know, we're not looking at this as an exercise where  
6 we put a handful of documents in front of you, you  
7 rule and if the ruling doesn't go our way --

8 SPECIAL MASTER SCHNEIDER: Right.

9 MR. LAPINSKI: -- that we continue to  
10 just put more and more. But there may be situations  
11 where a ruling that you enter may not apply to a  
12 particular entry. We may have to meet and confer,  
13 and if not able to resolve it with a meet-and-confer,  
14 bring it to the attention of your Honor.

15 MR. PLACITELLA: As you can see, your  
16 Honor, we had to do some arm twisting of Mr. Bernardo  
17 in order to --

18 MR. BERNARDO: You know, it's a  
19 dangerous profession, especially when Mr. Placitella  
20 is involved.

21 SPECIAL MASTER SCHNEIDER: I can see.

22 The gentleman that there was -- at  
23 least when we spoke last that there was a question  
24 about his deposition and whether he was going to be  
25 cross-designated, was he cross-designated?



April 22, 2021

Page 17

1 MR. BERNARDO: Yes, your Honor.

2 SPECIAL MASTER SCHNEIDER: Okay. And  
3 is the defendant going to move to quash the dep in  
4 this case and will the documents to be reviewed --  
5 because in my order I said I guess -- let me start  
6 again so I sound somewhat coherent.

7 I suppose if there is going to be a  
8 challenge to O'Shaughnessy, I think his name was --

9 MR. BERNARDO: Um-hum.

10 SPECIAL MASTER SCHNEIDER: -- I'm just  
11 thinking out loud, it seems that there should be a  
12 determination of whether his documents are privileged  
13 initially. So if there is a set of documents that  
14 are not privileged, that will give the court -- not  
15 the court, the master a better idea of the relevance  
16 of his testimony if it knows what documents are at  
17 issue in the case.

18 So with regard, Mr. Lapinski, to these  
19 designated documents, is there a plan to include in  
20 the documents to be reviewed in camera all of  
21 O'Shaughnessy's documents that either mention his  
22 name or you want to be considered in the context of  
23 whether his deposition is going to go forward?

24 MR. LAPINSKI: Your Honor, I don't  
25 think we had given consideration to putting all of

April 22, 2021

Page 18

1 the O'Shaughnessy documents before you for  
2 consideration. I think that our expectation was  
3 similar to the broad population of documents, that we  
4 would put representative samples in front of you that  
5 relate to Mr. O'Shaughnessy. And based upon your  
6 rulings on those sample documents, we would be able  
7 to make determinations about the other documents.

8 SPECIAL MASTER SCHNEIDER: Will that be  
9 one of the categories, just O'Shaughnessy documents?

10 MR. LAPINSKI: You know, as we continue  
11 to go through this, we can look to try and break that  
12 out so that there is a category that's specific to  
13 him.

14 The reviews that have been done thus  
15 far, we haven't looked to break his documents out  
16 separately because the entries that we've looked at  
17 with his name, some of the documents that we've  
18 looked at have fit into the broader categories. But  
19 I understand your point about breaking them out so  
20 that you can address those documents in anticipation  
21 of his deposition.

22 MR. TISI: Judge, I had a comment on  
23 that point.

24 As I mentioned last time, this is Chris  
25 Tisi, as I mentioned last time, there have been, and

April 22, 2021

Page 19

1 I don't have the number right in front of me, but I  
2 want to say about a thousand documents that have been  
3 produced that either are affirmed to or relate to Mr.  
4 O'Shaughnessy that have been produced for which  
5 privilege has not been claimed. And as I understand  
6 it, I have not been intimately involved in the  
7 process of -- I've been involved in the scheduling of  
8 it, but I haven't been involved in the process  
9 of what had happened in Missouri, but as I understand  
10 it, this deposition was ordered in part upon the  
11 documents that were not privileged, at least.

12 So I just wanted you to be aware. I  
13 didn't want you to think that all of the testimony  
14 would be based on documents or information that was  
15 in the privilege bucket. There are documents for  
16 which privilege has not been asserted that he would  
17 be justifiably examined on.

18 SPECIAL MASTER SCHNEIDER: Will the  
19 defendants move to quash O'Shaughnessy's deposition  
20 in this MDL?

21 MR. BERNARDO: The defendants have  
22 moved to quash his subpoena. If, procedurally, we  
23 need to do that in addition in the MDL, we'll do  
24 that. But I've been discussing with Mr. Tisi, you  
25 know, ways to address the deposition, the briefing,

April 22, 2021

Page 20

1 and will continue to do that and make sure we do  
2 what's necessary in order to protect our respective  
3 positions.

4 SPECIAL MASTER SCHNEIDER: If the  
5 subpoena -- that's in Pennsylvania I think, right?

6 MR. BERNARDO: Correct.

7 SPECIAL MASTER SCHNEIDER: Okay.

8 Assuming for the sake of argument, just  
9 for the sake of argument, that that subpoena is  
10 quashed, does that mean that the cross-designation is  
11 vacated?

12 MR. BERNARDO: That would be  
13 defendant's position, yes. Because it would not be a  
14 thing any longer, using a very specific legal term.

15 SPECIAL MASTER SCHNEIDER: Is Mr.  
16 O'Shaughnessy in New Jersey?

17 MR. BERNARDO: No. He lives in  
18 Pennsylvania. That's why the subpoena was issued  
19 through the Pennsylvania process.

20 SPECIAL MASTER SCHNEIDER: Okay. All  
21 right. But the federal process is different than the  
22 state process, right? It's a little bit easier in  
23 federal court to serve a federal subpoena out of  
24 district than it is in state court to serve it in  
25 another state, right?

April 22, 2021

Page 21

1 MR. BERNARDO: That's correct, but none  
2 has been served is my only point.

3 SPECIAL MASTER SCHNEIDER: Okay.

4 MR. BERNARDO: The existing subpoena  
5 has been cross-noted. But again, your Honor, I've  
6 been working, hopefully Mr. Tisi agrees,  
7 cooperatively with Mr. Tisi to see if we can sort of  
8 come to some meeting of the mind with respect to that  
9 subpoena process, the briefing and all of that and  
10 will continue to do that.

11 MR. PLACITELLA: I'm actually trying to  
12 understand that statement. So should we just  
13 subpoena Mr. O'Shaughnessy then in the MDL, if that's  
14 going to be your position?

15 MR. BERNARDO: I think if there is to  
16 be a separate adjudication there -- and, Chris, happy  
17 to talk that through, we never really kind of got  
18 quite down to that -- then maybe that would be the  
19 case.

20 I will say on the record, there is no  
21 need to personally serve Mr. O'Shaughnessy. I think  
22 we've been agreeable to accepting service on his  
23 behalf, if that's the case. And I would be  
24 appreciative if he's not tracked down one more time  
25 to get personally served and I think Ms. Sharko --

April 22, 2021

Page 22

1                   SPECIAL MASTER SCHNEIDER: I think that  
2 makes sense, but here is what I'm thinking of. This  
3 is my goal. My goal is to make sure that you stay on  
4 schedule.

5                   Okay?

6                   And I would like not to be in the  
7 situation come -- I'm just making this up, of  
8 course -- October or November when we finally get to  
9 tee up the O'Shaughnessy deposition issue, if it's  
10 ripe, if it's going to be an issue, let's tee it up  
11 and decide it so that at least I feel comfortable  
12 that I've done everything I could to keep the parties  
13 on track. That's my goal. That's my main goal, keep  
14 the parties on the current schedule so the can is not  
15 kicked down the road so no one can later on say,  
16 well, we need more time for this or that, we have to  
17 move deadlines back. That's why I'm thinking about  
18 the O'Shaughnessy deposition.

19                   I agree with you, Mr. Bernardo, do the  
20 plaintiffs really have to go through the formality of  
21 serving it? Whether or not that subpoena is quashed  
22 in Pennsylvania, it sounds like plaintiffs still want  
23 to move ahead in this MDL, right?

24                   MR. TISI: I think -- I'm sorry, that  
25 was directed to Mr. Bernardo. Sorry, Rich.

April 22, 2021

Page 23

1 MR. BERNARDO: Actually, no, I think  
2 that was directed to you guys. He said the  
3 plaintiffs.

4 MR. TISI: You know, look, Judge, I  
5 feel like Rich and I have been speaking almost daily  
6 about this and other topics, and I don't want to kick  
7 the can down the road, but I think we've been fairly  
8 productive in terms of trying to get things moving  
9 and agreed to. And, you know, I don't know what we  
10 would do if we couldn't work out something, but I  
11 would like to at least continue to work out something  
12 with J&J on these issues.

13 SPECIAL MASTER SCHNEIDER: On the other  
14 hand, let's suppose, hypothetically, that the  
15 Pennsylvania court does not quash the subpoena so the  
16 deposition goes forward in the state case, does that  
17 necessarily mean that J&J won't move to quash it in  
18 this MDL?

19 MR. TISI: Well, that's clearly a  
20 question for you, Rich.

21 MR. BERNARDO: To be completely candid,  
22 your Honor, as Mr. Tisi said, we've been trying to  
23 discuss this to figure out procedurally, logistically  
24 and every other "ly" the best way to work this out.  
25 I'm fairly confident, however it works out, we're not

April 22, 2021

Page 24

1 collectively kicking the can, but rather trying to  
2 see if there is some way to make this all work. So  
3 we will continue to do that. We hear you, your  
4 Honor, and will be mindful of your, you know,  
5 concerns in terms of timing and briefing and all of  
6 that.

7 I mean, at this particular time,  
8 spoiler alert, you know, all our arguments have been  
9 made in the briefs that have been filed, so it's not  
10 a matter of, you know, needing significant time to  
11 refile another brief, if necessary. But I'll  
12 continue to have my daily calls with Mr. Tisi. I  
13 look forward to it.

14 SPECIAL MASTER SCHNEIDER: Okay. Well,  
15 that's fine. I just want the record to be clear that  
16 we raised the issue. I rely on the good faith and  
17 good efforts of counsel, as I always do, and if you  
18 work it out, great. But I just would like not to be  
19 in the situation come the fall or early winter where  
20 we get into issues about extensions because discovery  
21 disputes that could have been raised earlier weren't.  
22 But it sounds like it's all in very good hands.

23 MR. TISI: Yeah. I don't want to be  
24 too bold except to say I think you'll know long  
25 before fall and early winter whether we have an issue



April 22, 2021

Page 25

1 or not. I do think that we are going to reach --  
2 either reach agreement or not reach agreement fairly  
3 shortly.

4 SPECIAL MASTER SCHNEIDER: Okay. That  
5 sounds great.

6 MR. BERNARDO: Your Honor, as you  
7 raised the record, if I just may backpedal for a bit  
8 just to make one point that I've been discussing with  
9 Mr. Tisi that I just want to make sure we discuss  
10 because I don't think Imerys is represented here, and  
11 I just want to put it on the table.

12 There is a category of documents that  
13 is part of this privilege challenge that I've been  
14 trying to coordinate with Mr. Tisi that originates  
15 from a third party, an expert witness. And he is  
16 individually represented and plaintiffs are  
17 challenging documents on his log.

18 Having spent some time with his counsel  
19 and the log, there is a portion of those that are  
20 assertions of privilege on behalf of the Johnson &  
21 Johnson defendants that I'm working with Mr. Tisi to  
22 work through or defend or however we need to do it.  
23 But I've learned there is a portion of documents on  
24 that log that are assertions of privilege not by the  
25 Johnson & Johnson defendants, but by Imerys, who, as

April 22, 2021

Page 26

1 I think your Honor knows, is in bankruptcy. I don't  
2 have a proposal for how to proceed there, I just  
3 would be remiss not to put that on the table because  
4 we, obviously the Johnson & Johnson defendants,  
5 aren't in a position to comment on, defend or  
6 otherwise address the documents for Imerys. So I  
7 just want to make sure that I put that out there so  
8 that, you know, I don't let that go without note.

9 SPECIAL MASTER SCHNEIDER: That sounds  
10 like an important point because it sounds like they  
11 have to be put on notice of the plaintiffs'  
12 application that is going to be made challenging the  
13 privilege designation, and they ought to be put on  
14 notice of the schedule that's adopted about when they  
15 have to respond to that.

16 MR. BERNARDO: We've reached out to  
17 their counsel. And to be fair, your Honor, this was  
18 just something I, with my colleagues, kind of sorted  
19 through in the last couple of days, and I've  
20 addressed that with Mr. Tisi, and he and I are going  
21 to try to meet and confer and see if we can talk  
22 through the J&J privileges on that log. And I'll  
23 leave it to them to reach out to the court.

24 Again, I don't want to speak out of  
25 turn because I really don't know the process, but I

April 22, 2021

Page 27

1 don't know whether given their bankruptcy they're  
2 even like in a position to deal with that, meaning  
3 like legally. I just wanted to put that out there so  
4 that it's on the record that a portion of this  
5 relates to them and we have reached out to their  
6 counsel.

7 MR. TISI: Judge, if I can put a little  
8 bit more gloss on that just so that you have a fuller  
9 understanding. The witness' name is Joshua Muscat  
10 just so we can kind of make sure that we know that.  
11 And he was a consultant initially with J&J or had  
12 consulted with J&J in the normal course of business  
13 in the 1990s. And as time went on, he also became  
14 involved with Imerys. And then as time went on  
15 further, he became an expert witness in litigation.

16 What I think we can at least do for  
17 now, while preserving our right to deal with the  
18 Imerys issue, as I think Mr. Bernardo had just  
19 indicated, there are a subcategory of documents for  
20 which Johnson & Johnson had been the privilege  
21 holder. And so, you know, I think we can kind of  
22 carve that out and deal with those issues directly.  
23 And I think we're trying to do that. And I think  
24 there are a fairly limited number of documents,  
25 candidly, in that category.

April 22, 2021

Page 28

1                   Holding back the separate question of  
2 his consulting with Imerys and then as a separate  
3 category when he became an expert witness, which I  
4 think presents different questions. So there is  
5 really kind of three categories of documents that  
6 deal with this. I think the one that is most -- we  
7 can deal with right away is the ones where Dr. Muscat  
8 was a consultant before litigation for J&J.

9                   Does that make sense?

10                  SPECIAL MASTER SCHNEIDER: Well, you  
11 raise a good point because it sounds like we're not  
12 going to have a situation, Mr. Lapinski designates  
13 his documents and, let's just take one category,  
14 there is 50 documents. And Mr. Bernardo responds and  
15 he responds as to 45 documents, but can't respond as  
16 to five others because they're not his privilege.  
17 Right? So then unless Imerys is put on notice, no  
18 one is there to challenge the challenge to the  
19 designation.

20                  But I hear what you're saying, Mr.  
21 Tisi, that that's not going to be the case, that all  
22 of the designations are going to be directed to just  
23 J&J privilege issues.

24                  MR. TISI: Correct. And I think just  
25 to -- for the nuance to it, and Mr. Bernardo will

April 22, 2021

Page 29

1 correct me if I'm wrong, but I do believe that we  
2 have engaged or J&J has been in contact with Dr.  
3 Muscat's counsel who had issued the privilege log on  
4 behalf of Dr. Muscat. So there really are three  
5 privilege logs involved. There is the Imerys  
6 privilege log, there is the Dr. Muscat privilege log,  
7 and then presumably J&J has documents on its  
8 privilege log related to this witness.

9 The short of it is, it's a little bit  
10 of a Rubik's cube, but I think really where we come  
11 down to it is that there is a category of documents  
12 on Dr. Muscat's privilege log that relate to his  
13 communications with J&J before he was a litigation  
14 consultant, and we believe we're entitled to those  
15 documents.

16 SPECIAL MASTER SCHNEIDER: Okay.

17 MR. TISI: We'll work through that  
18 process. We are conferring on it, but I agree,  
19 that's kind of a little subcategory that you should  
20 be aware of.

21 MR. BERNARDO: And I didn't mean to  
22 have us digress on this and resolve it, I simply  
23 wanted to make sure I noted for the record that this  
24 exists. And I suspect, as Mr. Tisi says, we can work  
25 through it. And it may turn out to be a non-issue.

April 22, 2021

Page 30

1 But if it turns out to be an issue, I just wanted to  
2 make sure I alerted your Honor to it and that we  
3 reach out to their counsel.

4 SPECIAL MASTER SCHNEIDER: Okay.

5 Just one more thing, and I'm sorry for  
6 backtracking back to O'Shaughnessy.

7 Anticipating somewhere down the road  
8 there is going to be a challenge to his deposition in  
9 this MDL, if the plaintiffs want -- presumably, my  
10 gut tells me there is an argument whether his  
11 testimony is relevant, cumulative, proportional,  
12 et cetera, et cetera.

13 If the plaintiffs are going to argue  
14 that some of the alleged privileged O'Shaughnessy  
15 documents are relevant to that motion to quash, they  
16 ought to raise it now in this challenge so we don't  
17 have to deal with another privilege issue down the  
18 road.

19 Does what I'm saying make sense? Do  
20 you understand what I'm saying?

21 MR. TISI: Yes.

22 MR. BERNARDO: Yes, your Honor.

23 SPECIAL MASTER SCHNEIDER: Okay.

24 And the last thing I would have is: It  
25 looks like on May 7th or thereabouts, Mr. Lapinski

April 22, 2021

Page 31

1 can identify the documents at issue. Would it be  
2 possible for you to send me an electronic copy or a  
3 hard copy, if it's not that voluminous, of the  
4 documents at that time so I can get a head start  
5 looking at them to make a timely ruling on the  
6 privilege issue and not wait another 30 or 60 days to  
7 get rolling?

8 MR. BERNARDO: Your Honor, with all due  
9 respect, I would prefer that when we make the  
10 submission to your Honor, it's after the briefing.  
11 Because part of our briefing will be to contextualize  
12 and provide information without which it will be -- I  
13 know these documents. They're very difficult to look  
14 at. It's not a matter of, you know, like early in my  
15 legal career where it's like, okay, here is a memo,  
16 it's privileged or it's not. They're very detailed  
17 email exchanges. And I think we would prefer to have  
18 the briefing done and to be able to provide your  
19 Honor, which we will do with the briefing, with a  
20 document-by-document explanation of the basis of our  
21 privilege that we think will assist your Honor in  
22 terms of going through it.

23 So we would, if that's okay with your  
24 Honor, prefer to have the process worked out, which  
25 is how we've been briefing it in the New Jersey case.

April 22, 2021

Page 32

1 SPECIAL MASTER SCHNEIDER: So that  
2 would be May 28th then? That's when your response is  
3 due?

4 MR. BERNARDO: Yes. Correct.

5 SPECIAL MASTER SCHNEIDER: That's fine.  
6 That's acceptable.

7 MR. BERNARDO: Thank you.

8 SPECIAL MASTER SCHNEIDER: So with the  
9 briefs on May 28th, you'll serve a copy of the  
10 documents for an in camera inspection?

11 MR. BERNARDO: Yes.

12 SPECIAL MASTER SCHNEIDER: Okay.

13 And if you have supporting affidavits,  
14 declarations, to the extent that there is portions of  
15 them that are not privileged, I'll assume you'll  
16 serve plaintiffs with the non-privileged portion?

17 MR. BERNARDO: Correct. That's how  
18 we've done it in federal court, which is to provide  
19 plaintiffs with everything that we provided to the  
20 court that's not privileged and an indication of what  
21 we had provided to the court that is privileged.

22 SPECIAL MASTER SCHNEIDER: Do you have  
23 an anticipated date, I know it's hard to predict, but  
24 when you're going to get a ruling? Is all the  
25 briefing done in the challenge in the state case



April 22, 2021

Page 33

1 before Judge Viscomi?

2 MR. BERNARDO: That's a bit of a moving  
3 process. And the way it's been done there has been  
4 in multiple parts. And there is an argument on part  
5 two next week. But I think those are going to be  
6 proceeding on a very parallel track here and I think,  
7 again, there are some of the same legal issues. I  
8 don't know Judge Viscomi's schedule in terms of  
9 ruling, but just based upon her other rulings and  
10 what's on her docket at the moment, I'm not  
11 anticipating we would get rulings in advance of  
12 yours.

13 SPECIAL MASTER SCHNEIDER: Okay. Last  
14 point.

15 Oral argument to be scheduled, if  
16 requested. Why don't we pencil in a date so that we  
17 can lock it in? And if we don't need it, we'll just  
18 cancel it. But this way if we have it on the  
19 calendar, we'll know when it is, if it goes forward.

20 So the last brief is going to be June  
21 11. Is there a particular time of the month that  
22 Judge Wolfson holds her calls? I don't want to  
23 interfere with that.

24 MS. SHARKO: She doesn't have regularly  
25 scheduled conferences. We schedule them month to

April 22, 2021

Page 34

1 month usually.

2 MS. PARFITT: And the last call that we  
3 have with Judge Wolfson, your Honor, right now is one  
4 for May 12th. So we don't have anything going into  
5 June at this time.

6 SPECIAL MASTER SCHNEIDER: Well, we  
7 said June 11, right? So how about June 18 at 10  
8 o'clock, tentatively oral argument, if needed. I  
9 guess we'll still be zooming those by then.

10 MR. TISI: It's Friday the 18th, your  
11 Honor?

12 SPECIAL MASTER SCHNEIDER: That's what  
13 I have. Right.

14 And we'll pencil that in and usually --  
15 well, I don't want to say anything.

16 If we don't need it, we'll cancel it.  
17 If we need it, June 18th at 10 o'clock for oral  
18 argument.

19 I think I have covered all of the  
20 questions and issues I wanted to address. Anything  
21 else we need to address on my plate?

22 MS. SHARKO: No, thank you, not from  
23 the defendants.

24 MR. LAPINSKI: Nothing from the  
25 plaintiffs' side, I don't think, your Honor.

April 22, 2021

Page 35

1 SPECIAL MASTER SCHNEIDER: Okay. Well,  
2 then we can adjourn this call.

3 Remember, for the benefit of those who  
4 weren't on the call, if you want to come formal to  
5 the next Zoom with just me, that's fine. if you want  
6 to come less formal, that's okay with me, too. I  
7 can't speak for Judge Wolfson, but at least with me,  
8 that will be fine.

9 So I hope everybody stays safe, has a  
10 great weekend and thanks for everything and good  
11 luck. And we're adjourned.

12 ALL COUNSEL: Thank you, your Honor.

13 (Proceeding concluded)

14

15

16

17

18

19

20

21

22

23

24

25

April 22, 2021

Page 36

C E R T I F I C A T E

I, Theresa Mastroianni Kugler, a Notary Public  
and Certified Shorthand Reporter of the State of New  
Jersey, do hereby certify that the foregoing is a  
true and accurate transcript of the testimony as  
taken stenographically by and before me at the time,  
place, and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a  
relative nor employee nor attorney nor counsel of any  
of the parties to this action, and that I am neither  
a relative nor employee of such attorney or counsel,  
and that I am not financially interested in the  
action.

DocuSigned by:

*Theresa Kugler*  
439DA67C1C71495...

Theresa Mastroianni Kugler, C.S.R.  
Notary Public, State of New Jersey  
My Commission Expires May 5, 2021  
Certificate No. XI0857  
Date: April 26, 2021

April 22, 2021

37

<b>A</b>	<b>amount</b> 12:12	8:19 14:11,18	22:19,25 23:1	32:10
<b>able</b> 8:21 16:13	<b>analysis</b> 12:10	<b>attorneys</b> 3:7,13	23:21 25:6	<b>CAMPUS</b> 4:9
18:6 31:18	<b>and/or</b> 9:11	3:19,25 4:5,11	26:16 27:18	<b>cancel</b> 33:18
<b>acceptable</b> 32:6	<b>answer</b> 7:8	4:18,25 9:12	28:14,25 29:21	34:16
<b>accepting</b> 21:22	10:19 11:18	9:17	30:22 31:8	<b>candid</b> 23:21
<b>accurate</b> 36:6	<b>anticipated</b>	<b>Audubon</b> 1:21	32:4,7,11,17	<b>candidly</b> 27:25
<b>action</b> 36:11,14	32:23	<b>authors</b> 9:13	33:2	<b>Care</b> 7:2
<b>actual</b> 8:7	<b>anticipating</b>	<b>AVENUE</b> 3:22	<b>best</b> 23:24	<b>carve</b> 27:22
<b>addition</b> 19:23	30:7 33:11	4:16	<b>better</b> 12:15	<b>case</b> 13:19 17:4
<b>address</b> 18:20	<b>anticipation</b>	<b>avoid</b> 14:6	17:15	17:17 21:19,23
19:25 26:6	18:20	<b>avoids</b> 11:25	<b>BIDDLE</b> 4:7	23:16 28:21
34:20,21	<b>apologize</b> 13:6	<b>aware</b> 19:12	<b>binding</b> 15:4	31:25 32:25
<b>addressed</b> 26:20	<b>appealed</b> 15:4	29:20	<b>bit</b> 11:25 20:22	<b>cases</b> 11:3,12
<b>adjourn</b> 35:2	<b>appearances</b> 6:3	<b>B</b>	25:7 27:8 29:9	12:7 14:2
<b>adjourned</b> 35:11	<b>application</b>	<b>back</b> 22:17 28:1	33:2	<b>categories</b> 9:5,7
<b>adjudication</b>	26:12	30:6	<b>bold</b> 24:24	9:9,9,12,16,21
21:16	<b>applied</b> 15:19	<b>backpedal</b> 25:7	<b>BOX</b> 3:16	9:24 10:9 11:1
<b>adopted</b> 26:14	<b>apply</b> 16:11	<b>backtracking</b>	<b>break</b> 18:11,15	11:2,20,22
<b>advance</b> 13:7	<b>appreciative</b>	30:6	<b>breaking</b> 18:19	12:14 14:22
33:11	21:24	<b>BANK</b> 3:22	<b>Brennan</b> 4:8	18:9,18 28:5
<b>advice</b> 9:14 10:4	<b>approach</b> 8:14	<b>bankruptcy</b>	6:24,24	<b>category</b> 7:18
10:7	<b>April</b> 1:11 36:21	26:1 27:1	<b>brief</b> 14:24	14:23 15:10
<b>affidavits</b> 14:24	<b>area</b> 11:15	<b>BARR</b> 4:1	24:11 33:20	18:12 25:12
32:13	<b>argue</b> 30:13	<b>based</b> 8:13 18:5	<b>briefed</b> 11:3,21	27:25 28:3,13
<b>affirmed</b> 19:3	<b>arguing</b> 11:21	19:14 33:9	<b>briefing</b> 19:25	29:11
<b>afternoon</b> 6:9,12	<b>argument</b> 20:8,9	<b>basis</b> 8:2 31:20	21:9 24:5	<b>CC'd</b> 9:17,18
6:15	30:10 33:4,15	<b>BAYLEN</b> 4:2	31:10,11,18,19	<b>certainty</b> 14:17
<b>ago</b> 7:4 13:21	34:8,18	<b>BEASLEY</b> 3:15	31:25 32:25	<b>Certificate</b>
<b>agree</b> 15:9 22:19	<b>arguments</b> 24:8	<b>behalf</b> 6:11,13	<b>briefs</b> 24:9 32:9	36:21
29:18	<b>arm</b> 16:16	21:23 25:20	<b>bring</b> 16:14	<b>Certified</b> 1:19
<b>agreeable</b> 7:5,6	<b>Arps</b> 4:15 6:23	29:4	<b>broad</b> 18:3	2:8 36:4
21:22	<b>Ashcraft</b> 3:9	<b>believe</b> 11:5 29:1	<b>broader</b> 18:18	<b>certify</b> 36:5,9
<b>agreed</b> 15:14	6:13	29:14	<b>BUCHANAN</b>	<b>cetera</b> 30:12,12
23:9	<b>asserted</b> 19:16	<b>benefit</b> 10:25	4:1	<b>challenge</b> 12:19
<b>agreement</b> 16:4	<b>assertions</b> 11:6	35:3	<b>bucket</b> 19:15	14:1,10 17:8
25:2,2	25:20,24	<b>Bernardo</b> 4:15	<b>business</b> 27:12	25:13 28:18,18
<b>agrees</b> 21:6	<b>assist</b> 31:21	6:22,22 10:19	<b>C</b>	30:8,16 32:25
<b>ahead</b> 14:22	<b>associated</b> 12:14	10:21 12:3,8	<b>C</b> 3:1 36:1,1	<b>challenged</b> 8:11
22:23	<b>assume</b> 7:9	12:21 13:6,12	<b>C.S.R</b> 36:19	9:7 10:17 12:4
<b>ALABAMA</b>	14:22 32:15	13:16,20 14:13	<b>cable</b> 13:7,14	12:6 13:19,22
3:17	<b>assuming</b> 15:3	14:16 15:13	<b>calendar</b> 33:19	<b>challenges</b> 10:9
<b>alert</b> 24:8	20:8	16:16,18 17:1	<b>call</b> 13:5 34:2	<b>challenging</b>
<b>alerted</b> 30:2	<b>attention</b> 16:14	17:9 19:21	35:2,4	25:17 26:12
<b>alleged</b> 30:14	<b>attorney</b> 36:10	20:6,12,17	<b>calls</b> 24:12 33:22	<b>characterizati...</b>
<b>ALLEN</b> 3:15	36:12	21:1,4,15	<b>camera</b> 17:20	11:7
	<b>attorney-client</b>			<b>CHERRY</b> 3:5

April 22, 2021

38

<b>Chris</b> 6:16,18 18:24 21:16 <b>CHRISTOPH...</b> 3:21 4:2 <b>chunk</b> 15:19 <b>Civil</b> 1:2 <b>claimed</b> 19:5 <b>claims</b> 14:18,19 14:20 <b>clear</b> 24:15 31:15 <b>clearly</b> 23:19 <b>closest</b> 10:20 <b>COHEN</b> 3:21 <b>coherent</b> 17:6 <b>colleagues</b> 26:18 <b>collectively</b> 24:1 <b>Comcast</b> 13:11 <b>come</b> 21:8 22:7 24:19 29:10 35:4,6 <b>comfortable</b> 22:11 <b>commencing</b> 2:12 <b>comment</b> 18:22 26:5 <b>COMMERCE</b> 3:16 <b>Commission</b> 36:20 <b>committed</b> 11:11 <b>committee</b> 6:8 6:11,14,17 <b>Commonwealth</b> 2:10 <b>communicatio...</b> 29:13 <b>COMPANIES</b> 4:12,19 <b>company</b> 10:14 <b>completely</b> 23:21 <b>concerns</b> 24:5 <b>concluded</b> 35:13	<b>confer</b> 11:13 15:24 16:12 26:21 <b>CONFEREN...</b> 1:5 <b>conferences</b> 33:25 <b>conferring</b> 29:18 <b>confident</b> 23:25 <b>consideration</b> 17:25 18:2 <b>considered</b> 17:22 <b>consistency</b> 12:25 <b>consistent</b> 14:3 <b>consultant</b> 27:11 28:8 29:14 <b>consulted</b> 27:12 <b>consulting</b> 28:2 <b>CONSUMER</b> 4:12,13,19,20 <b>contact</b> 29:2 <b>contesting</b> 7:18 <b>context</b> 8:18 17:22 <b>contextualize</b> 31:11 <b>continue</b> 16:9 18:10 20:1 21:10 23:11 24:3,12 <b>cooperatively</b> 21:7 <b>coordinate</b> 11:24 14:5 25:14 <b>copied</b> 9:10 <b>copy</b> 31:2,3 32:9 <b>corpus</b> 7:19 8:11 10:15,23 11:14 <b>correct</b> 7:13 20:6 21:1 28:24 29:1 32:4,17 <b>counsel</b> 7:2 9:25	9:25 10:3,13 24:17 25:18 26:17 27:6 29:3 30:3 35:12 36:10,12 <b>country</b> 10:18 <b>couple</b> 7:7 26:19 <b>course</b> 22:8 27:12 <b>court</b> 1:1,19 2:8 12:6 13:23 14:6,7,7 17:14 17:15 20:23,24 23:15 26:23 32:18,20,21 <b>covered</b> 34:19 <b>cplacitella@c...</b> 3:24 <b>cross-designat...</b> 16:25,25 <b>cross-designat...</b> 20:10 <b>cross-noted</b> 21:5 <b>ctisi@levinla...</b> 4:4 <b>cube</b> 29:10 <b>cumulative</b> 30:11 <b>current</b> 22:14	<b>declarations</b> 14:25 32:14 <b>defend</b> 25:22 26:5 <b>defendant</b> 4:11 4:18,25 14:24 14:25 17:3 <b>defendant's</b> 20:13 <b>defendants</b> 6:21 6:23,25 10:22 11:11 19:19,21 25:21,25 26:4 34:23 <b>define</b> 12:15 <b>dep</b> 17:3 <b>deposition</b> 16:24 17:23 18:21 19:10,19,25 22:9,18 23:16 30:8 <b>described</b> 11:2 <b>description</b> 7:16 8:18 <b>descriptions</b> 11:8 <b>designated</b> 17:19 <b>designates</b> 28:12 <b>designation</b> 26:13 28:19 <b>designations</b> 28:22 <b>despite</b> 15:15 <b>detailed</b> 31:16 <b>details</b> 12:18 <b>determination</b> 17:12 <b>determinations</b> 8:21 18:7 <b>different</b> 8:14 9:5 10:18 14:2 20:21 28:4 <b>difficult</b> 31:13 <b>digress</b> 29:22 <b>DIRECT</b> 4:10	<b>directed</b> 14:10 22:25 23:2 28:22 <b>directly</b> 11:18 27:22 <b>disagree</b> 11:6 <b>disappear</b> 13:9 <b>disclosing</b> 11:15 <b>disconnect</b> 13:8 <b>discoverable</b> 10:7 <b>discovery</b> 24:20 <b>discuss</b> 23:23 25:9 <b>discussing</b> 19:24 25:8 <b>discussions</b> 15:11 <b>dispute</b> 15:7 <b>disputes</b> 24:21 <b>district</b> 1:1,1 20:24 <b>dlapinski@m...</b> 3:7 <b>docket</b> 1:2 33:10 <b>document</b> 8:17 9:17 11:14 14:4 <b>document-by-...</b> 31:20 <b>documents</b> 7:18 7:20,24,25 8:3 8:7,22,24,25 9:1,6,11,13,16 10:2,9,11,16 10:17,21,24 11:1,7,13,19 12:4,5,14 13:18,22 14:1 14:17,23 15:1 15:5,21,22 16:6 17:4,12 17:13,16,19,20 17:21 18:1,3,6 18:7,9,15,17 18:20 19:2,11
--	--	---	---	---



April 22, 2021

39

19:14,15 25:12 25:17,23 26:6 27:19,24 28:5 28:13,14,15 29:7,11,15 30:15 31:1,4 31:13 32:10 <b>Dr</b> 28:7 29:2,4,6 29:12 <b>dressed</b> 13:13 <b>Drinker</b> 4:7 6:21 6:25 <b>DRIVE</b> 3:4 <b>due</b> 31:8 32:3 <b>duplication</b> 12:1	13:1 35:9 <b>exactly</b> 12:9 <b>examined</b> 19:17 <b>example</b> 11:14 <b>exchange</b> 10:4,5 <b>exchanged</b> 10:6 <b>exchanges</b> 31:17 <b>exercise</b> 16:5 <b>existing</b> 21:4 <b>exists</b> 29:24 <b>expect</b> 11:9 14:20 <b>expectation</b> 18:2 <b>expert</b> 25:15 27:15 28:3 <b>Expires</b> 36:20 <b>explanation</b> 31:20 <b>extension</b> 7:9,11 <b>extensions</b> 24:20 <b>extent</b> 32:14	32:5 35:5,8 <b>Firm</b> 3:15 6:10 <b>first</b> 7:8 12:13 <b>fit</b> 18:18 <b>five</b> 14:2,22 28:16 <b>FLOM</b> 4:15 <b>FLORHAM</b> 4:9 <b>FLORIDA</b> 4:3 <b>foregoing</b> 36:5 <b>formal</b> 35:4,6 <b>formality</b> 6:4 22:20 <b>FORMAROLI</b> 1:18 <b>forth</b> 36:8 <b>fortunately</b> 14:3 <b>forward</b> 17:23 23:16 24:13 33:19 <b>found</b> 8:8 <b>four</b> 9:19 14:2 14:22 <b>Friday</b> 34:10 <b>front</b> 12:11 16:6 18:4 19:1 <b>fuller</b> 27:8 <b>further</b> 27:15 36:9	8:7,11,20 9:2,6 11:16 12:5 13:18 14:12,13 15:2,6,22 16:24 17:3,7 17:23 21:14 22:10 25:1 26:12,20 28:12 28:21,22 30:8 30:13 31:22 32:24 33:5,20 34:4 <b>good</b> 6:9,12,15 24:16,17,22 28:11 35:10 <b>GOODMAN</b> 5:4 <b>granted</b> 7:10 <b>gray</b> 11:15 <b>great</b> 7:15 24:18 25:5 35:10 <b>group</b> 15:21 <b>guess</b> 13:11 17:5 34:9 <b>guessing</b> 14:23 <b>gut</b> 30:10 <b>guy</b> 13:14 <b>guys</b> 23:2	<b>Honor</b> 6:10,13 6:15,18 7:14 7:22 10:11,20 11:8,23 12:8 12:22 13:13 14:14 15:13,16 16:4,14,16 17:1,24 21:5 23:22 24:4 25:6 26:1,17 30:2,22 31:8 31:10,19,21,24 34:3,11,25 35:12 <b>hope</b> 15:17 35:9 <b>hopefully</b> 21:6 <b>Horse</b> 1:20 <b>hundred</b> 8:24,25 9:1 <b>hypothetically</b> 23:14
<b>E</b>		<b>F</b>	<b>H</b>	<b>I</b>
<b>E</b> 3:1,1 5:2,2 36:1,1 <b>earlier</b> 12:9 24:21 <b>early</b> 24:19,25 31:14 <b>easier</b> 20:22 <b>EAST</b> 3:4 <b>effort</b> 15:20 <b>efforts</b> 12:1 24:17 <b>either</b> 17:21 19:3 25:2 <b>electronic</b> 31:2 <b>email</b> 7:4 31:17 <b>employee</b> 36:10 36:12 <b>engaged</b> 29:2 <b>ensure</b> 12:24 <b>enter</b> 16:11 <b>entitled</b> 29:14 <b>entries</b> 18:16 <b>entry</b> 16:12 <b>especially</b> 16:19 <b>ESQUIRE</b> 3:4 3:10,15,21 4:2 4:7,8,15,22 5:4 <b>et</b> 30:12,12 <b>everybody</b> 10:24	<b>F</b> 4:23 36:1 <b>fact</b> 11:21 15:15 <b>facts</b> 10:5 <b>Faegre</b> 4:7 6:20 6:25 <b>fair</b> 12:12 26:17 <b>fairly</b> 23:7,25 25:2 27:24 <b>faith</b> 24:16 <b>fall</b> 11:15 24:19 24:25 <b>far</b> 8:13 18:15 <b>FAX</b> 3:6,18,24 4:10 <b>federal</b> 20:21,23 20:23 32:18 <b>feel</b> 22:11 23:5 <b>figure</b> 23:23 <b>filed</b> 24:9 <b>finally</b> 22:8 <b>financially</b> 36:13 <b>fine</b> 16:2 24:15	<b>G</b> <b>gentleman</b> 16:22 <b>Gerel</b> 3:9 6:13 <b>give</b> 17:14 <b>given</b> 9:15 10:7 15:20 17:25 27:1 <b>gloss</b> 27:8 <b>go</b> 15:16 16:7 17:23 18:11 22:20 26:8 <b>goal</b> 22:3,3,13 22:13 <b>goes</b> 15:24 23:16 33:19 <b>going</b> 7:10,17	<b>half</b> 9:2 <b>hand</b> 23:14 <b>handful</b> 13:23 16:6 <b>hands</b> 24:22 <b>happened</b> 19:9 <b>happy</b> 21:16 <b>hard</b> 31:3 32:23 <b>head</b> 9:19 31:4 <b>hear</b> 24:3 28:20 <b>hereinbefore</b> 36:8 <b>HILL</b> 3:5 <b>hold</b> 10:11 <b>holder</b> 27:21 <b>Holding</b> 28:1 <b>holds</b> 33:22	<b>idea</b> 17:15 <b>identify</b> 7:17 11:13 31:1 <b>identifying</b> 9:22 12:13 <b>Imerys</b> 25:10,25 26:6 27:14,18 28:2,17 29:5 <b>important</b> 26:10 <b>include</b> 17:19 <b>inconsistent</b> 12:1 <b>indicated</b> 27:19 <b>indication</b> 32:20 <b>individually</b> 25:16 <b>information</b> 10:5 19:14 31:12 <b>inhouse</b> 9:25 <b>initially</b> 17:13 27:11 <b>inside</b> 10:12,12

April 22, 2021

40

inspection 32:10	25:20,21,25,25	L 5:2,4	25:17,19,24	33:13 34:6,12
interested 36:13	26:4,4 27:20	LAKE 3:4	26:22 29:3,6,6	35:1
interfere 33:23	27:20	Lapinski 3:4 6:9	29:8,12	<b>Mastroianni</b>
internet 13:8	Joshua 27:9	6:10 7:22,23	<b>logistically</b>	1:18 2:8 36:3
intimately 19:6	jschneider@m...	8:10,12 9:8	23:23	36:19
involve 9:24	1:14	10:1 11:1 16:3	<b>logs</b> 29:5	<b>matter</b> 2:7 11:16
10:12	<b>Judge</b> 7:11	16:9 17:18,24	<b>long</b> 7:5 24:24	15:20 24:10
<b>involved</b> 10:24	11:22 12:6	18:10 28:12	<b>longer</b> 20:14	31:14
12:18,22 16:20	18:22 23:4	30:25 34:24	<b>look</b> 7:24 8:17	<b>McCRACKEN</b>
19:6,7,8 27:14	27:7 33:1,8,22	<b>Lapinski's</b> 12:3	9:20 18:11	5:4
29:5	34:3 35:7	<b>large</b> 15:19	23:4 24:13	<b>MDL</b> 12:7 19:20
<b>involvement</b>	<b>June</b> 33:20 34:5	<b>larger</b> 15:21	31:13	19:23 21:13
9:18 13:21	34:7,7,17	<b>law</b> 3:15 6:10	<b>looked</b> 18:15,16	22:23 23:18
<b>involves</b> 10:2	<b>jurisdictions</b>	11:15	18:18	30:9
<b>issue</b> 7:20 9:6	10:18	<b>lawn</b> 13:4	<b>looking</b> 8:4	<b>MEAGHER</b>
10:3,4 17:17	<b>justifiably</b> 19:17	<b>learned</b> 25:23	14:21 16:5	4:15
22:9,10 24:16		<b>leave</b> 26:23	31:5	<b>mean</b> 20:10
24:25 27:18	<b>K</b>	<b>legal</b> 9:14 10:4,6	<b>looks</b> 30:25	23:17 24:7
30:1,17 31:1,6	<b>K</b> 3:10	20:14 31:15	<b>lot</b> 11:25	29:21
<b>issued</b> 20:18	<b>keep</b> 22:12,13	33:7	<b>loud</b> 17:11	<b>meaning</b> 27:2
29:3	<b>kick</b> 23:6	<b>legally</b> 27:3	<b>luck</b> 35:11	<b>meet</b> 11:13
<b>issues</b> 14:6 23:12	<b>kicked</b> 22:15	<b>Leigh</b> 3:15 4:8	<b>ly</b> 23:24	12:13 16:12
24:20 27:22	<b>kicking</b> 24:1	6:7,7		26:21
28:23 33:7	<b>kind</b> 21:17 26:18	<b>leigh.odell@b...</b>	<b>M</b>	<b>meet-and-conf...</b>
34:20	27:10,21 28:5	3:18	<b>M</b> 3:21 4:7	16:13
	29:19	<b>let's</b> 14:22 22:10	<b>main</b> 22:13	<b>meeting</b> 21:8
<b>J</b>	<b>knocking</b> 9:2	23:14 28:13	<b>making</b> 15:20	<b>memo</b> 31:15
<b>J&amp;J</b> 6:21,23,25	<b>know</b> 7:8 8:10	<b>Levin</b> 4:1 6:16	22:7	<b>mention</b> 17:21
10:13,21 11:10	8:12 9:4,5,7,9	<b>LIABILITY</b> 1:6	<b>MAPLE</b> 3:22	<b>mentioned</b> 14:9
23:12,17 26:22	10:5 12:18	<b>license</b> 2:9	<b>MARKETING</b>	18:24,25
27:11,12 28:8	13:16 15:2,23	<b>limited</b> 27:24	1:5	<b>merits</b> 11:5
28:23 29:2,7	16:5,18 18:10	<b>list</b> 12:3	<b>master</b> 1:14 6:1	<b>Michelle</b> 3:10
29:13	19:25 23:4,9,9	<b>litigate</b> 14:6	7:3,15 8:9 9:4	6:13
<b>Jersey</b> 1:1,21	24:4,8,10,24	<b>litigation</b> 1:6	9:23 10:15	<b>mind</b> 21:8
2:10 3:5,22 4:9	26:8,25 27:1	10:25 12:20	12:2,17 13:3	<b>mindful</b> 24:4
11:3 20:16	27:10,21 31:13	27:15 28:8	13:10,15 14:8	<b>minutes</b> 7:4
31:25 36:5,20	31:14 32:23	29:13	14:15,21 15:8	<b>Missouri</b> 12:19
<b>Jessica</b> 4:8 6:24	33:8,19	<b>little</b> 11:24 20:22	16:1,8,21 17:2	13:23 19:9
<b>job</b> 13:2	<b>knowing</b> 14:17	27:7 29:9,19	17:10,15 18:8	<b>moment</b> 8:10
<b>JOEL</b> 1:14	<b>known</b> 4:13,20	<b>lives</b> 20:17	19:18 20:4,7	33:10
<b>john.beisner...</b>	<b>knows</b> 17:16	<b>LLC</b> 3:3	20:15,20 21:3	<b>MONTGOM...</b>
4:17	26:1	<b>LLP</b> 3:9 4:7,15	22:1 23:13	3:17 5:4
<b>Johnson</b> 1:5,5	<b>Kugler</b> 2:8 36:3	4:22 5:4	24:14 25:4	<b>month</b> 33:21,25
4:12,12,12,12	36:19	<b>lock</b> 33:17	26:9 28:10	34:1
4:13,13,19,19		<b>Locke</b> 4:22 7:1,1	29:16 30:4,23	<b>motion</b> 30:15
4:19,19,20,20	<b>L</b>	<b>log</b> 8:7,15 11:8	32:1,5,8,12,22	<b>Motley</b> 3:3 6:10



April 22, 2021

41

<b>MOUGEY</b> 4:1	<b>notes</b> 9:20	<b>originates</b> 25:14	<b>Placitella</b> 3:21	12:19 13:25
<b>move</b> 17:3 19:19	<b>notice</b> 26:11,14	<b>ought</b> 26:13	3:21 6:18,19	14:11,18 19:5
22:17,23 23:17	28:17	30:16	10:10 16:15,19	19:15,16 25:13
<b>moved</b> 19:22	<b>noticed</b> 7:16	<b>outside</b> 9:25	21:11	25:20,24 26:13
<b>moving</b> 23:8	<b>November</b> 22:8	10:3,12,13	<b>plaintiffs</b> 3:7,13	27:20 28:16,23
33:2	<b>nuance</b> 28:25	<b>overlap</b> 12:5,12	3:19,25 4:5 6:6	29:3,5,6,6,8,12
<b>mower</b> 13:4	<b>nuanced</b> 11:9	12:16	6:19 7:17	30:17 31:6,21
<b>mparfitt@ash...</b>	<b>number</b> 2:9 7:19		11:11 12:13	<b>privileged</b> 15:8
3:12	8:6 9:2 13:22	<b>P</b>	15:14,18,25	17:12,14 19:11
<b>multiple</b> 33:4	19:1 27:24	<b>P</b> 3:1,1 5:2	16:3 22:20,22	30:14 31:16
<b>Muscat</b> 27:9	<b>numbers</b> 12:11	<b>P.O</b> 3:16	23:3 25:16	32:15,20,21
28:7 29:4,6	<b>NW</b> 3:10 4:16,23	<b>PA</b> 4:1	30:9,13 32:16	<b>privileges</b> 11:17
<b>Muscat's</b> 29:3		<b>Papantonio</b> 4:1	32:19	26:22
29:12	<b>O</b>	6:16	<b>plaintiffs'</b> 6:8,11	<b>probably</b> 10:20
<b>N</b>	<b>O</b> 5:2	<b>parallel</b> 33:6	6:14,17 26:11	11:8 14:1,24
<b>N</b> 3:1 5:2	<b>O'BRIEN</b> 4:1	<b>Parfitt</b> 3:10 6:12	34:25	<b>procedurally</b>
<b>name</b> 17:8,22	<b>o'clock</b> 34:8,17	6:13 34:2	<b>plan</b> 17:19	19:22 23:23
18:17 27:9	<b>O'Dell</b> 3:15 6:7	<b>PARK</b> 4:9	<b>plate</b> 34:21	<b>proceed</b> 26:2
<b>national</b> 12:23	7:13	<b>part</b> 19:10 25:13	<b>PM</b> 2:12	<b>proceeding</b> 33:6
<b>necessarily</b>	<b>O'Shaughnessy</b>	31:11 33:4	<b>point</b> 12:24	35:13
23:17	17:8 18:1,5,9	<b>particular</b> 16:12	18:19,23 21:2	<b>proceedings</b> 2:6
<b>necessary</b> 20:2	19:4 20:16	24:7 33:21	25:8 26:10	<b>process</b> 8:5 9:22
24:11	21:13,21 22:9	<b>parties</b> 7:6 9:10	28:11 33:14	11:3 15:24
<b>need</b> 15:24	22:18 30:6,14	22:12,14 36:11	<b>population</b> 18:3	19:7,8 20:19
19:23 21:21	<b>O'Shaughness...</b>	<b>parts</b> 33:4	<b>portion</b> 25:19,23	20:21,22 21:9
22:16 25:22	17:21 19:19	<b>party</b> 10:13	27:4 32:16	26:25 29:18
33:17 34:16,17	<b>obviously</b> 11:4,6	25:15	<b>portions</b> 32:14	31:24 33:3
34:21	11:25 15:1	<b>PC</b> 3:21	<b>position</b> 12:15	<b>PROCTOR</b> 4:1
<b>needed</b> 34:8	26:4	<b>pencil</b> 33:16	20:13 21:14	<b>produced</b> 8:1
<b>needing</b> 24:10	<b>October</b> 22:8	34:14	26:5 27:2	15:9 19:3,4
<b>neither</b> 36:9,11	<b>okay</b> 14:15 16:1	<b>Pennsylvania</b>	<b>positions</b> 20:3	<b>product</b> 14:4,9
<b>never</b> 21:17	17:2 20:7,20	2:11 20:5,18	<b>possible</b> 31:2	14:11,19
<b>New</b> 1:1,21 2:10	21:3 22:5	20:19 22:22	<b>POWDER</b> 1:5	<b>productive</b> 23:8
3:5,22 4:9,16	24:14 25:4	23:15	<b>power</b> 10:25	<b>Products</b> 1:5,6
11:3 20:16	29:16 30:4,23	<b>PENSACOLA</b>	<b>PRACTICES</b>	7:2
31:25 36:4,20	31:15,23 32:12	4:3	1:6	<b>profession</b> 16:19
<b>non-issue</b> 29:25	33:13 35:1,6	<b>people</b> 10:12	<b>predict</b> 32:23	<b>proportional</b>
<b>non-privileged</b>	<b>once</b> 12:12	<b>perfect</b> 13:2	<b>prefer</b> 31:9,17	30:11
32:16	<b>ones</b> 28:7	<b>person</b> 12:24	31:24	<b>proposal</b> 26:2
<b>normal</b> 27:12	<b>opposed</b> 9:25	13:7	<b>presents</b> 28:4	<b>propose</b> 7:5
<b>notable</b> 13:25	<b>oral</b> 33:15 34:8	<b>Personal</b> 7:2	<b>preserving</b>	<b>protect</b> 20:2
<b>Notary</b> 2:9 36:3	34:17	<b>personally</b> 21:21	27:17	<b>provide</b> 14:24
36:20	<b>order</b> 8:6,17	21:25	<b>presumably</b>	31:12,18 32:18
<b>note</b> 26:8	16:17 17:5	<b>pick</b> 15:14,16	29:7 30:9	<b>provided</b> 32:19
<b>noted</b> 29:23	20:2	<b>Pike</b> 1:20	<b>privilege</b> 7:20,25	32:21
	<b>ordered</b> 19:10	<b>place</b> 36:8	8:2,19,23 11:5	<b>public</b> 2:9 10:13

April 22, 2021

42

<p>36:3,20 pull 8:16 purposes 8:23 put 6:3 8:17 16:6,10 18:4 25:11 26:3,7 26:11,13 27:3 27:7 28:17 putting 17:25</p> <hr/> <p><b>Q</b></p> <p>quash 17:3 19:19,22 23:15 23:17 30:15 quashed 20:10 22:21 question 7:8,21 11:18 16:23 23:20 28:1 questions 7:7 28:4 34:20 quite 21:18</p> <hr/> <p><b>R</b></p> <p>R 3:1,4 5:2 36:1 RACHEL 5:4 Rafferty 4:1 6:16 raise 28:11 30:16 raised 24:16,21 25:7 reach 25:1,2,2 26:23 30:3 reached 26:16 27:5 readily 12:15 realistically 9:1 really 11:23 21:17 22:20 26:25 28:5 29:4,10 reasons 11:23 14:5 REATH 4:7 received 7:4</p>	<p>recipients 9:11 9:13 record 6:2 21:20 24:15 25:7 27:4 29:23 RED 3:22 redaction 8:18 8:19 redactions 8:1,2 8:15 reduce 11:14 refile 24:11 regard 17:18 regularly 33:24 relate 18:5 19:3 29:12 related 29:8 relates 27:5 relations 10:14 relative 36:10,12 relevance 17:15 relevant 30:11 30:15 rely 24:16 Remember 35:3 remiss 26:3 REMOTE 1:5 2:11 reply 15:1 Reporter 2:8 36:4 Reporting 1:19 representative 15:10,18,21 18:4 represented 25:10,16 requested 9:15 33:16 requires 8:16,16 resolve 16:13 29:22 resolved 13:24 respect 21:8 31:9 respective 20:2</p>	<p>respond 26:15 28:15 responds 28:14 28:15 response 32:2 responsibility 12:23 rest 15:10 result 7:10 RETIRED 1:14 reviewed 15:5 17:4,20 reviews 18:14 RHOADS 5:4 Rice 3:3 6:10 Rich 22:25 23:5 23:20 Richard 4:15 6:22 10:21 richard.berna... 4:18 right 8:4,12 9:22 13:4 16:8 19:1 20:5,21,22,25 22:23 27:17 28:7,17 34:3,7 34:13 ripe 22:10 road 15:7 22:15 23:7 30:7,18 rolling 31:7 ROTH 3:21 Rubik's 29:10 rule 15:2 16:7 ruling 13:16,17 14:3 15:3,4 16:7,11 31:5 32:24 33:9 rulings 12:1 13:18,21 15:17 18:6 33:9,11</p> <hr/> <p><b>S</b></p> <p>S 3:1 5:2,2 safe 35:9 sake 20:8,9</p>	<p>SALES 1:6 sample 18:6 samples 18:4 saying 28:20 30:19,20 says 29:24 schedule 7:5,17 22:4,14 26:14 33:8,25 scheduled 33:15 33:25 scheduling 19:7 SCHNEIDER 1:14 6:1 7:3,15 8:9 9:4,23 10:15 12:2,17 13:3,10,15 14:8,15,21 16:1,8,21 17:2 17:10 18:8 19:18 20:4,7 20:15,20 21:3 22:1 23:13 24:14 25:4 26:9 28:10 29:16 30:4,23 32:1,5,8,12,22 33:13 34:6,12 35:1 see 10:8 11:12 11:24 16:15,21 21:7 24:2 26:21 seeing 14:25 seen 12:3,9 select 15:18 send 31:2 sense 22:2 28:9 30:19 separate 21:16 28:1,2 separately 18:16 serve 20:23,24 21:21 32:9,16 served 21:2,25 service 21:22</p>	<p>serving 22:21 set 7:12 10:17 17:13 36:8 SEYFARTH 4:22 Sharko 4:7 6:20 6:20 21:25 33:24 34:22 Sharko's 7:4 SHAW 4:22 short 7:9 29:9 Shorthand 36:4 shortly 25:3 side 15:15 34:25 significant 24:10 significantly 8:6 similar 18:3 simply 11:6 29:22 situation 22:7 24:19 28:12 situations 10:8 16:10 Skadden 4:15 6:23 SLATE 4:15 small 13:22,23 somewhat 17:6 sorry 8:24 12:8 13:3 22:24,25 30:5 sort 11:25 15:25 21:7 sorted 26:18 sought 10:7 11:23 sound 17:6 sounds 22:22 24:22 25:5 26:9,10 28:11 South 1:20 4:2 speak 26:24 35:7 speaking 23:5 SPECIAL 1:14 6:1 7:3,15 8:9 9:4,23 10:15</p>
--	---	---	--	--

April 22, 2021

43

12:2,17 13:3 13:10,15 14:8 14:15,21 16:1 16:8,21 17:2 17:10 18:8 19:18 20:4,7 20:15,20 21:3 22:1 23:13 24:14 25:4 26:9 28:10 29:16 30:4,23 32:1,5,8,12,22 33:13 34:6,12 35:1 <b>specific</b> 9:6 15:23 18:12 20:14 <b>specifically</b> 15:5 <b>spent</b> 25:18 <b>spoiler</b> 24:8 <b>spoke</b> 16:23 <b>start</b> 6:6 17:5 31:4 <b>state</b> 2:10 12:6 13:23 20:22,24 20:25 23:16 32:25 36:4,20 <b>statement</b> 21:12 <b>STATES</b> 1:1 <b>STATUS</b> 1:5 <b>stay</b> 22:3 <b>stays</b> 35:9 <b>steering</b> 6:8,11 6:14,17 <b>stenographica...</b> 2:7 36:7 <b>STREET</b> 3:10 3:16 4:2,23 <b>stuff</b> 13:1 <b>subcategory</b> 27:19 29:19 <b>subject</b> 11:16 <b>submission</b> 31:10 <b>subpoena</b> 19:22 20:5,9,18,23	21:4,9,13 22:21 23:15 <b>suddenly</b> 13:9 <b>SUITE</b> 3:4 <b>supporting</b> 32:13 <b>suppose</b> 17:7 23:14 <b>sure</b> 13:1 20:1 22:3 25:9 26:7 27:10 29:23 30:2 <b>Susan</b> 4:7 6:20 <b>susan.sharko...</b> 4:11 <b>suspect</b> 9:24 29:24 <hr/> <b>T</b> <b>T</b> 4:15,22 5:2 36:1,1 <b>table</b> 25:11 26:3 <b>take</b> 8:16,16,20 28:13 <b>taken</b> 2:7 36:7 <b>talcum</b> 1:5 10:25 <b>talk</b> 21:17 26:21 <b>tee</b> 22:9,10 <b>tell</b> 9:20 13:17 14:16 <b>tells</b> 30:10 <b>tentatively</b> 34:8 <b>term</b> 20:14 <b>terms</b> 23:8 24:5 31:22 33:8 <b>testimony</b> 17:16 19:13 30:11 36:6 <b>thank</b> 32:7 34:22 35:12 <b>thanks</b> 35:10 <b>thereabouts</b> 30:25 <b>Theresa</b> 2:8 36:3 36:19 <b>thing</b> 10:10	11:10 20:14 30:5,24 <b>things</b> 23:8 <b>think</b> 7:8,24 8:2 8:24 9:1 10:1,8 12:12 15:14,16 15:20,23 17:8 17:25 18:2 19:13 20:5 21:15,21,25 22:1,24 23:1,7 24:24 25:1,10 26:1 27:16,18 27:21,23,23 28:4,6,24 29:10 31:17,21 33:5,6 34:19 34:25 <b>thinking</b> 9:19 17:11 22:2,17 <b>third</b> 9:10 10:13 25:15 <b>THOMAS</b> 4:22 <b>thought</b> 15:15 <b>thousand</b> 8:5,11 10:16 19:2 <b>three</b> 28:5 29:4 <b>THURSDAY</b> 1:11 <b>time</b> 13:5 18:24 18:25 21:24 22:16 24:7,10 25:18 27:13,14 31:4 33:21 34:5 36:7 <b>timely</b> 31:5 <b>timing</b> 24:5 <b>Tisi</b> 4:2 6:15,16 13:13 18:22,25 19:24 21:6,7 22:24 23:4,19 23:22 24:12,23 25:9,14,21 26:20 27:7 28:21,24 29:17 29:24 30:21	34:10 <b>tlocke@seyfar...</b> 4:24 <b>Tom</b> 7:1 <b>top</b> 9:19 <b>topics</b> 23:6 <b>total</b> 7:20 8:3,23 <b>track</b> 22:13 33:6 <b>tracked</b> 21:24 <b>transcript</b> 2:6 36:6 <b>treatment</b> 15:23 <b>true</b> 10:11 36:6 <b>try</b> 11:24 13:2 15:25 18:11 26:21 <b>trying</b> 14:5 15:6 21:11 23:8,22 24:1 25:14 27:23 <b>turn</b> 26:25 29:25 <b>turns</b> 30:1 <b>twisting</b> 16:16 <b>two</b> 33:5 <hr/> <b>U</b> <b>ultimately</b> 10:6 <b>Um-hum</b> 17:9 <b>underlie</b> 10:6 <b>understand</b> 18:19 19:5,9 21:12 30:20 <b>understanding</b> 14:9 15:3 27:9 <b>Unfortunately</b> 12:21 <b>uniformity</b> 12:25 <b>UNITED</b> 1:1 <b>universe</b> 7:19 8:3 <b>USMJ</b> 1:14 <b>usually</b> 34:1,14 <b>utilized</b> 10:24 <hr/> <b>V</b>	<b>V</b> 4:2 <b>vacated</b> 20:11 <b>vein</b> 15:12 <b>version</b> 12:10 <b>VIDEOCONF...</b> 1:6 2:11 <b>Videoconfere...</b> 1:19 <b>Viscomi</b> 11:22 12:6 33:1 <b>Viscomi's</b> 33:8 <b>voluminous</b> 31:3 <hr/> <b>W</b> <b>wait</b> 31:6 <b>waive</b> 11:16 <b>WALKER</b> 5:4 <b>want</b> 6:3 11:4 13:16 17:22 19:2,13 22:22 23:6 24:15,23 25:9,11 26:7 26:24 30:9 33:22 34:15 35:4,5 <b>wanted</b> 19:12 27:3 29:23 30:1 34:20 <b>warrant</b> 15:23 <b>WASHINGTON...</b> 3:11 4:16,23 <b>waved</b> 13:9 <b>way</b> 8:14 16:7 23:24 24:2 33:3,18 <b>ways</b> 19:25 <b>we'll</b> 12:14 19:23 29:17 33:17,19 34:9 34:14,16 <b>we're</b> 6:1 8:3,5 9:2,21 14:5 16:4,4,5 23:25 27:23 28:11 29:14 35:11 <b>we've</b> 8:13 18:16
---	--	---	---	---

April 22, 2021

44

18:17 21:22	<b>0</b>	30 31:6	3:5
23:7,22 26:16	07701 3:22	30X100085700	856-667-5133
31:25 32:18	07932 4:9	2:9	3:6
week 11:22 33:5	08002 3:5	316 4:2	
weekend 35:10	08106 1:21	32502 4:3	<b>9</b>
went 27:13,14		334-954-7555	973-360-9831
weren't 24:21	<b>1</b>	3:18	4:10
35:4	10 34:7,17	36104 3:17	973-549-7350
White 1:20	101 3:4		4:10
whittle 8:6	11 33:21 34:7	<b>4</b>	975 4:23
winter 24:19,25	12 8:4,10 10:16	4160 3:16	
wish 13:12	127 3:22	45 28:15	
withheld 7:25	12th 34:4		
8:22	13 8:4,11 10:16	<b>5</b>	
witness 25:15	1440 4:16	5 36:20	
27:15 28:3	18 34:7	50 7:17 14:23	
29:8	1825 3:10	15:8,9,14,17	
witness' 27:9	18th 34:10,17	15:17 28:14	
Wolfson 7:12	1990s 27:13	515 1:20	
33:22 34:3			
35:7	<b>2</b>	<b>6</b>	
work 8:13,20	20004 4:23	60 31:6	
14:4,9,11,19	20005 4:16	600 4:9	
23:10,11,24	2006 3:11	63 8:23	
24:2,18 25:22	202-371-7410	68 8:25 9:1	
29:17,24	4:17		
worked 31:24	202-759-7648	<b>7</b>	
working 8:5	3:12	732-747-9003	
11:11 21:6	202-828-5376	3:23	
25:21	4:24	7th 30:25	
works 23:25	2021 1:11 36:20		
wrong 29:1	36:21	<b>8</b>	
	210 3:4	800-277-1193	
<b>X</b>	215-567-3500	4:4	
XIO857 36:21	3:23	800-674-9725	
	215-567-6019	3:11	
<b>Y</b>	3:24	800-768-4026	
Yeah 9:8 24:23	218 3:16	3:6	
Years 13:21	22 1:11	800-898-2034	
YORK 4:16	26 36:21	3:17	
	28th 32:2,9	850-435-7000	
<b>Z</b>		4:3	
Zoom 1:5 2:11	<b>3</b>	856-488-7797	
6:5 13:5 35:5	3:16-md-2738-...	1:15	
zooming 34:9	1:2	856-546-1100	
	3:59 2:12	1:22	
		856-667-0500	